

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

*In re MedStar ERISA Litigation*

Master File No. 1:20-cv-01984-JKB

Chief Judge James K. Bredar

January 19, 2024

**UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT**

Plaintiff Elsa Reed (“Plaintiff”), on behalf of the proposed Settlement Class (defined below) and the MedStar Health, Inc. Retirement Savings Plan (the “Plan”), hereby moves pursuant to Federal Rule of Civil Procedure 23 for entry of an Order that: (1) preliminarily approves the Settlement Agreement<sup>1</sup> dated January 19, 2024 with Defendants;<sup>2</sup> (2) finds that the Class may be maintained through such time as the Court enters an order granting final approval of the Settlement; (3) approves and directs effectuation of the proposed notice plan (“Notice Plan”) in the Settlement Agreement and proposed Preliminary Approval Order;<sup>3</sup> and (4) sets a final approval hearing on a date convenient for the Court at least 140 days after the entry of an order preliminarily approving the proposed settlement (the “Settlement”). A proposed Preliminary Approval Order is attached as Exhibit C to the Settlement Agreement.

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<sup>1</sup>The Settlement Agreement and Exhibits A through E thereto are collectively attached as Exhibit 1 to the accompanying Declaration of Laurie Rubinow (“Rubinow Decl.”). Capitalized terms not defined herein have the same meaning as in the Settlement Agreement.

<sup>2</sup>Defendants are MedStar Health, Inc. (“MedStar Health”), the Board of Directors of MedStar Health, Inc. (“Board”), the MedStar Health, Inc. Retirement Savings Plan Committee, and members of the Board or Administrative Committee (“Administrative Committee” or “Committee” and with MedStar Health and the Board, “Defendants”).

<sup>3</sup>A proposed Preliminary Approval Order is attached as Exhibit C to the Settlement Agreement.

For the reasons set forth in the Settlement Agreement, accompanying memorandum of law and all supporting papers, as well as the record in this litigation, Plaintiff respectfully submits that the Settlement is fair, reasonable, adequate, and should be preliminarily approved so that notice can be provided to the Settlement Class.

The Settlement is the product of arm's-length negotiations between the Parties and their counsel, all of whom comprehensively litigated this matter, are well-informed regarding all the issues in this litigation, and have significant experience in complex litigation of this type. Accordingly, Plaintiff respectfully requests that the Court enter the proposed Preliminary Approval Order.

Plaintiff has conferred with Defendants and understands that Defendants do not oppose the Motion. Plaintiff stands ready to provide any additional information that the Court may require in connection with its consideration of the Motion.

Dated: January 19, 2024

Respectfully Submitted,

/s/ Alec J. Berin

James C. Shah

Alec J. Berin

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*Attorneys for Plaintiff, the Plan,  
and the Settlement Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 19, 2024, I caused the foregoing document to be electronically filed with the Clerk of Court, and served upon the counsel of record using the CM/ECF system.

/s/ Alec J. Berin  
Alec J. Berin